

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jesse Weiss, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

v.

Dakota Growers Pasta Co.,

Defendant.

Case No. 0:13-cv-01946-SRN-AJB

NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

Pursuant to the Joint Notice of Final Approval [Dkt. 40], Plaintiff Jesse Weiss would advise the Court that two objectors filed appeals with the United States Court of Appeals for the Third Circuit relating to the final approval. *See Dawn Weaver v. Dakota Growers*, United States Court of Appeals for the Third Circuit, Case No. 14-4420 and *David Mager v. Dakota Growers*, Case No. 14-4515.

On December 11, 2014, Dawn Weaver filed her Unopposed Motion for Voluntary Dismissal. The Third Circuit issued its Order dismissing the Appeal on December 11, 2014 [Dkt. 92].

On December 12, 2014, David Mager filed his Motion to Voluntarily Dismiss Appeal. The Third Circuit issued its Order dismissing the Appeal on December 12, 2014 [Dkt. 93].

Accordingly, Plaintiff, Jesse Weiss, hereby voluntarily dismisses this action with prejudice pursuant to the Settlement Agreement in *Mirakay, et al. v. Dakota Growers, et al.*, Case No. 3:13-cv-04429-JAP-LHG (D.N.J.).

Dated: December 15, 2014

Respectfully submitted,

FEDERMAN & SHERWOOD

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2014, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

/s/ William B. Federman

William B. Federman